United States District Court
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT

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FOR THE NORTHERN DISTRICT OF CALIFORNIA

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ORACLE AMERICA, INC.,

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      Plaintiff,   No. C 10-03561 WHA

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  v.

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GOOGLE INC.,   **SPECIAL VERDICT FORM**

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      Defendant.

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YOUR ANSWER MUST BE UNANIMOUS.

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1.   As to all the compilable code for the 37 Java API packages in question taken as a

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group:

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     A.   Has Oracle proven that Google has infringed the overall structure,

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sequence and organization of a copyrighted work owned by Oracle?

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               Yes _____   No _____

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    (IF YOU ANSWER "NO" TO QUESTION 1A, THEN SKIP TO QUESTION NO. 2.)

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     B.   If so, has Google proven that its use of the overall structure,

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sequence and organization constituted "fair use"?

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               Yes _____   No _____

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NOTE: THE 37 API PACKAGES IN QUESTION ARE LISTED IN QUESTION NO. 2.

2.   As to *each* of the 37 Java API packages listed below, *considered individually*:

A.   Has Oracle proven that Google has infringed the structure, sequence and organization of the *compilable code* for each *individual* API package? Please indicate your answer to each in the first column below.

B.   If, in column 1 your answer is "yes," then state in the second column whether or not Google has proven that its use constituted "fair use" (as defined in the instructions). If you answered "no" in column 1, you should leave the second column blank or enter "NA" for "not applicable."

C.   Has Oracle proven that Google copied the *documentation* for the *individual* API package? Please indicate your answer as to each in the third column below.

D.   If, in column 3, your answer is "yes," then state in the fourth column whether or not Google has proven that its use constituted "fair use" (as defined in the instructions). If you answered "no" in column 3, you should leave the fourth column blank or enter "NA" for "not applicable."

(**I**N ANSWERING THE FOUR ABOVE SUB-QUESTIONS, PLEASE REMEMBER THE DISTINCTION BETWEEN "COMPILABLE CODE" AND "DOCUMENTATION," AS DEFINED IN THE INSTRUCTIONS, AS WELL AS THE "WORK AS A WHOLE" ALSO DEFINED IN THE INSTRUCTIONS.)

	API PACKAGE COMPILABLE CODE		API PACKAGE DOCUMENTATION	
	Copying Proven? (Yes or No)	**Fair Use Proven?** (Yes, No or NA)	**Copying Proven?** (Yes or No)	**Fair Use Proven?** Yes, No or NA)
java.awt.font	_____	_____	_____	_____
java.beans	_____	_____	_____	_____
java.io	_____	_____	_____	_____
java.lang	_____	_____	_____	_____
java.lang.annotation	_____	_____	_____	_____
java.lang.ref	_____	_____	_____	_____

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	Copying Proven? (Yes or No)	**Fair Use Proven?** (Yes, No or NA)	**Copying Proven?** (Yes or No)	**Fair Use Proven?** Yes, No or NA)
java.lang.reflect	_____	_____	_____	_____
java.net	_____	_____	_____	_____
java.nio	_____	_____	_____	_____
java.nio.channels	_____	_____	_____	_____
java.nio.channels.spi	_____	_____	_____	_____
java.nio.charset	_____	_____	_____	_____
java.nio.charset.spi	_____	_____	_____	_____
java.security	_____	_____	_____	_____
java.security.acl	_____	_____	_____	_____
java.security.cert	_____	_____	_____	_____
java.security.interfaces	_____	_____	_____	_____
java.security.spec	_____	_____	_____	_____
java.sql	_____	_____	_____	_____
java.text	_____	_____	_____	_____
java.util	_____	_____	_____	_____
java.util.jar	_____	_____	_____	_____
java.util.logging	_____	_____	_____	_____
java.util.prefs	_____	_____	_____	_____
java.util.regex	_____	_____	_____	_____
java.util.zip	_____	_____	_____	_____
javax.crypto	_____	_____	_____	_____
javax.crypto.interfaces	_____	_____	_____	_____
javax.crypto.spec	_____	_____	_____	_____
javax.net	_____	_____	_____	_____
javax.net.ssl	_____	_____	_____	_____
javax.security.auth	_____	_____	_____	_____
javax.security.auth.callback	_____	_____	_____	_____
javax.security.auth.login	_____	_____	_____	_____

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	API PACKAGE COMPILABLE CODE		API PACKAGE DOCUMENTATION	
	Copying Proven? (Yes or No)	**Fair Use Proven?** (Yes, No or NA)	**Copying Proven?** (Yes or No)	**Fair Use Proven?** Yes, No or NA)
javax.security.auth.x500	_____	_____	_____	_____
javax.security.cert	_____	_____	_____	_____
javax.sql	_____	_____	_____	_____

3.   Has Google proven that its conceded use in Android of the following items was de minimis:

	Yes	**No**
A. The rangeCheck method in TimSort.java and ComparableTimSort.Java	_____	_____
B. Source code in eight "Impl.java files	_____	_____
C. The English-language comments in CodeSourceTest.java and CollectionCertStoreParametriums Test.java	_____	_____

4.   If you found in Questions 1, 2 or 3 that Google copied Oracle's works and that the copying was not excused by fair use or de minimis, then answer the following questions:

A.   Has Oracle proven that third-party mobile device manufacturers namely, _____, _____, _____, _____, _____ infringed Oracle's copyrights by copying or using Android software?

B.   If you answered "yes" to 4(A), has Oracle proven that Google intentionally induced or materially contributed to the third-party infringement you found in Question No. 4(A)?

1   C.   If you answered "yes" to 4(A), has Oracle proven that Google

2   vicariously infringed Oracle's copyrights as a result of the third-party

3   infringement you found in Question No. 4(A)?

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9   Dated:

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                                                  FOREPERSON

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